

February 28, 2011

The Common Council met as the Water Utility Board at 7:00 pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Askren, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Supt. Gray; Attorney Higgins; Chief Beloat; Chief Waters; Comm. Maynard; Wylie Zeigler – Economic Development Commission of Southwest Indiana; Phil Wilzbacher – Ports of Indiana; Judy and David Whitten; Nancy Sexton; Nancy Hoehn; John Taylor – PCEDP Ex. Dir.; Ron and Vonnie Sallee; Pam Robinson – Posey County News; and Sara Manifold – Mount Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertained a motion to waive their reading and to approve the minutes as presented.

Board member Fuelling moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Higgins.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board member Askren moved the claims presented be allowed for payment. Seconded by Board member Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

*****CLAIMS*****

Mayor Tucker stated they will now hear the report of the Water Chairman.

Chairman Curtis stated he has no report.

Supt. Gray reported they have started converting the utility's books to electronic form – the 2nd to last city in the State of Indiana to do so. He added the State Board of Accounts needs the Board to accept the software.

Attorney Higgins added the Board needs to accept and authorized Keystone as the supplier of the software accounting system.

Supt. Gray stated they will run parallel for a month and then switch over totally to the new system.

Chairman Curtis moved the Keystone system be approved and accepted. Seconded by Board member Fuelling.

Mayor Tucker asked if there were any questions ?

Board member Hoehn asked what this will entail ?

Supt. Gray replied it is an electronic bookkeeping software system database based, that will eventually allow them to print claims and checks.

Board member Hoehn question the future ability for accepting on-line payments.

Supt. Gray replied that is complicated and not something they are looking at right now, but it would be a plus.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously. He then asked if there were any questions of the Water Chairman or Water Supt. ?

There were none.

Mayor Tucker stated they have the Financial Report for January before them and any questions could be directed to Mrs. Blackburn.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Board ?

Clerk-Treasurer Sitzman replied not at this time.

Mayor Tucker stated they are now ready for the Legal portion of the Agenda.

Attorney Higgins stated, in reference to the new accounting system, there is training involved in getting the accounts set up, revenues divided, etc. and as a result, Jim Cameron from Umbaugh has been down training Mrs. Blackburn since about the end of the year. She stated he has also been working with the entire office staff and they have an agreement from Umbaugh for Mr. Cameron's services that needs Board approval.

Board member Curtis moved the agreement be approved. Seconded by Board member Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Board voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Mayor Tucker asked if anyone in the Audience wished to address the Board ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Board member Hoehn moved the meeting be adjourned. Seconded by Board member Askren.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker

Mayor

ATTEST:

Cristi L. Sitzman

Clerk-Treasurer

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Askren, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Supt. Gray; Attorney Higgins; Chief Beloit; Chief Waters; Comm. Maynard; Wylie Zeigler – Economic Development Commission of Southwest Indiana; Phil Wilzbacher – Ports of Indiana; Judy and David Whitten; Nancy Sexton; Nancy Hoehn; John Taylor – PCEDP Ex. Dir.; Ron and Vonnie Sallee; Don Miller – Mount Vernon Barge; Pam Robinson – Posey County News; and Sara Manifold – Mount Vernon Democrat.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertained a motion to waive their reading and to approve the minutes as presented.

Councilwoman Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilwoman Askren.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Standing Committees.

Street & Light Chairman Fuelling reported Upton Road will be having some work done in the next few days and it will be down to one lane. He just wanted folks to be aware of that.

Comm. Maynard stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Police & Dog Chairwoman Askren stated she has no report.

Chief Beloat stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Fire Chairman Hoehn stated he has no report.

Chief Waters stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Sewer Chairwoman Higgins stated she has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated they have the Financial Report before them and any questions could be directed to Clerk-Treasurer Sitzman.

Mayor Tucker asked if the Clerk-Treasurer had any Communications ?

Clerk-Treasurer Sitzman replied not at this time.

Mayor Tucker stated they are now ready for the Legal portion of the Agenda.

Attorney Higgins stated the first item is the first reading of the proposed truck ordinance, tabled at the last meeting. She then stated she believes it might be a good idea to open it up for discussion on this ordinance. She reminded Council they could do a first reading with amendments.

Councilman Curtis stated he feels they should do a first reading and then utilize the ordinance from there. He then moved the Ordinance to Amend the City of Mt. Vernon Code of Ordinances, Title VII-Traffic Code, Chapter 74-Traffic Schedules, Schedule VII-Tuck and Weight Regulation be passed on first reading, as written. Seconded by Councilman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – no.

Mayor Tucker stated the motion carried.

Mayor Tucker stated in the Audience is Wylie Zeigler with the EDC of SWIN and she has a Resolution concerning the Storm Water grant on the west side of town.

Ms. Zeigler stated the City is applying for an IORCA grant for the storm sewer project on the west side of town and the application deadline is March 18. The amount of the grant is \$524,287, the city match will be \$48,000 to be paid from sewer funds. She stated the Resolution she has is needed to authorize the city's submittal of the grant applications.

Councilman Fuelling moved the Resolution be accepted. Seconded by Councilwoman Askren.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried.

Mayor Tucker asked if anyone in the Audience wished to address the Council ?

Phil Wilzbacher approached and stated he is the director of the port and he would like to address the truck ordinance that passed first reading tonight. He stated he appreciates the time the Council has taken on this issue and the time they took to contact him. He added he has been trying to put the matter into prospective and he now realizes the effects on the residents here. He then stated the business is growing at the port and new industries are coming to Mt. Vernon, therefore, the port will continue to grow and as a result there are going to be some growing pains. He stated he has been working on addressing the Kimball Street issue, and he does also realize there are some safety concerns with that issue as well as alternative routes. He added the port has even contacted some of the trucking companies about the Kimball Street issue. He stated the port has even discussed plans with INDOT, who indicated they plan on doing traffic counts in the port itself. He then stated he is trying to look at the broader scope and what really needs to happen is a northwest bypass, it is desperately needed. A bypass would be a tremendous help with the truck traffic in Mt. Vernon. He concluded by stating the Council and port need to work together and continue discussions with INDOT. And again, he added he appreciates the Council's patience and commitment to continue working with INDOT.

Councilman Fuelling stated he is disappointed that INDOT sent no one to tonight's meeting. He added he was under the impression they were going to start doing studies on a light at Hwy 62 and the port road, but they haven't yet. He again stated he is very disappointed that INDOT did not come through, they should have followed through with this but they are not here – hopefully the port has some influence with them.

Mr. Wilzbacher stated his concern is the Ports of Indiana and he does not feel this should just be laid at INDOT's feet, it needs to be a cooperative effort.

Councilman Fuelling stated he hopes the counts they do will be done in a timely manner, and frankly, his main concern is the city streets, which is why he voted the way he did tonight on the ordinance.

Mr. Wilzbacher stated he feels the Council and the Ports of Indiana should take a joint approach for further discussions with INDOT.

Councilman Curtis stated INDOT has many issues across the State, it takes some time. He added the public support and port support are important, as well as representation by the many industries in the area. All in all, when it comes to INDOT, it just takes time.

Ms. Zeigler left the meeting.

Councilman Fuelling stated he is only going by what INDOT told them at the meeting they had with them.

Councilwoman Higgins stated she voted no in lieu of a temporary fix. She stated it anything they do is going to take time, but adding the STOP signs may help – they won't want to have to STOP every block. At the very least, it might slow them down some, it is a safety issue. She added it may even light a fire under INDOT. She added she hates to restrict trucks, Mt. Vernon needs the economic development. She again stated adding the two STOP signs on Kimball would be a solution.

Councilman Hoehn stated the Council wants to with the port. INDOT built this problem. He then stated folks bought houses on Kimball believing it was a residential area, and it should be. It should not be a thru truck area. This same issue existed in Lawrence Addition and the city limited truck traffic there because of this. He added he wouldn't want trucks on his street either. It needs to be fixed correctly and he has no interest waiting on an ordinance.

Councilwoman Higgins stated Mt. Vernon is an industrial town and she is afraid they could open a can of worms.

Councilman Hoehn stated no ones wants truck traffic on their street, and as a Council, that is what they are there for, to address the issues of the citizens.

Councilwoman Higgins stated Kimball Street is a residential area. She added she has talked to several of the folks that live on Kimball Street and they said they would welcome the STOP signs.

Councilman Hoehn stated the trucks coming out of the port road and having to deal with the port intersection at Hwy 62 is only an annoyance for them, not a real safety issue if they simply use good judgment at that intersection. Trucks on Kimball are a safety issue, not just an annoyance.

Mr. Wilzbacher stated he understand the Council's dilemma and he doesn't want to stiff arm anyone, but the north end exit is a safety hazard as well due to the volume of traffic going east at certain times during the day.

Councilman Hoehn stated he does not disagree, but these truck drivers, they have CDL's and therefore they operate the trucks at a higher level.

Councilman Curtis stated it is a safety issue and a CDL driver does have more knowledge, but people make errors.

Councilman Hoehn stated making a right hand turn coming out of the port harms no one, if safety truly is an issue.

Councilman Curtis stated if safety is an issue, the STOP signs will not do any good either, they will just run those, they do now. Putting up more signs will not make them stop. They need to force all vehicles to go north.

Councilman Hoehn stated again, Kimball Street is a residential area, not a truck route. He added businesses need an access, therefore, a right hand turn out of the port.

Mr. Wilzbacher stated a right turn for Illinois trucks is not feasible for them.

Councilman Hoehn stated residents along Kimball have thought for a long time that they lived in a residential area, now they live on a thru truck route.

Councilman Curtis added that a loaded truck making that left turn off Kimball is a totally different story than an empty truck making it.

Councilman Hoehn stated making a left onto Tile Factory Road is next to impossible due to the trucks turning left off Kimball.

Councilman Curtis replied that left turn lane on 4th onto Tile Factory Road is actually back quite a bit from the intersection. He then stated the ordinance has passed first reading. The meet again in two weeks. Maybe at that time they will be able to bring more ideas in and they can have more discussion in two weeks. He added they will not solve it and not even all of the Council is going to agree. He then stated he appreciates Mr. Wilzbacher coming to the meeting.

Councilman Hoehn stated he is not against the city working with the port, it is just time for action as this has been discussed for years now. It needs to be discussed with INDOT here.

Mr. Wilzbacher stated the port is taking steps.

Councilman Hoehn added it is good they are taking a proactive approach and he too appreciates that he came to the meeting tonight.

Mayor Tucker stated he has talked with a representative from INDOT that was at their earlier meeting and they say they will be doing a traffic count beginning either March 7 or March 14, BUT they couldn't say how long it would take to get the results.

Councilman Fuelling replied the Council will still be limited on information when the second reading of the ordinance comes up.

Councilman Curtis agreed and added they will just have to make some decisions at that time, without all the information.

Councilman Hoehn added that is not necessarily a bad thing.

Councilman Fuelling stated he would really to have had no information by that time.

Councilwoman Higgins stated she, Councilman Fuelling and Mayor Tucker met with INDOT a year and a half ago about plans for this issue. They have talked with Mr. Wilzbacher, the Council has tried. INDOT said it could take three years to get anything done, and that would be assuming they started that day a year and a half ago.

Councilman Fuelling stated they need to pressure INDOT.

Mayor Tucker added Rep. McNamara has also talked with INDOT for the city.

Councilman Hoehn replied it is not a good situation.

Mayor Tucker asked if anyone else in the Audience wished to address the Council ?

Nancy Hoehn stated she looks at this from different perspective. She and some folks that she works with go to McDonald's in the mornings for coffee, etc. and it is a very dangerous situation now. There can be three semis lined up on Kimball and trying to get out of the parking lot at McDonalds to get to the highway is next to impossible. She added she people won't go to McDonalds anymore because of this. She added the city does need the port, and she does not want to deter economic development, but the city needs to protect the citizens and its roadways.

Don Miller then stated he works for Mount Vernon Barge and they have 50 employees at the port. He would just ask Council to be patient and work with INDOT so they can make an informed decision. He added the port has dealings nationally and internationally. Unemployment is high right now and the city is lucky to have the industry base that it has here. He added it would not be wise to make an uninformed decision. He concluded by stating the city is lucky to have the resources here that they have – apply some pressure to INDOT.

Mayor Tucker asked if anyone else wished to address the Council ?

Nancy Sexton approached and stated she appreciates that hard work that had been done on this truck issue but if the road that runs behind Arby's was finished, that would take the trucks directly to State Street. We (the city) want the trucks here, but they are independent truckers, they go where the city tells them to. Force them if you have to. STOP signs will not work. If the city wants no trucks on Kimball, then make NO TRUCKS ON KIMBALL.

Councilwoman Higgins stated there are issues with the road behind Arby's. Issues between the State and the owner of the property.

Councilman Fuelling stated the Council encouraged that route with INDOT.

Ms. Sexton asked why can't INDOT tell the City WHY they won't complete that. She then questioned why imminent domain can't come into play here ?

Councilwoman Higgins stated regardless, any solution with INDOT is three years away.

Ms. Sexton stated remove truck traffic from Kimball until the studies are done and put pressure on INDOT as to why they will not finish the road behind Arby's. Work around INDOT. If the city doesn't want truck traffic on Kimball, put up a sign that says so. She then stated she saw on the internet where work on the Tile Factory Road/Hwy 62 project would be done in April 2011. Well guess what ? It is almost April 2011 and nothing has even started on that. She then asked why she is only getting blank expressions from the Council ?

Mayor Tucker stated he spoke with INDOT about that and they are going out for bids in April, with a bid opening date of May or June. Once work begins, it is a 90 day project.

Ms. Sexton replied SHOULD have been done April 2011, WILL be done.....

Mayor Tucker asked if anyone else in the Audience wished to address the Council ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

Councilwoman Higgins asked if Mr. Williams had an announcement ?

Larry Williams approached and stated River Days has been named a finalist for the Leadership Evansville Awards. There will be a banquet March 17 at the Center at 6:00 pm where the winners will be announced. He added he is very proud to be a finalist as they will up against such competition as the West Side Nut Club.

Councilwoman Higgins added Bill Newman will be recognized as well that night. She then invited everyone to come and show support for Bill and the River Days.

Mayor Tucker stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she has no report.

2nd District Councilman Fuelling stated he has no report.

3rd District Councilman Hoehn stated he has no report.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated she has no report.

Mayor Tucker stated the picture they were going to take at the March 14 meeting will have to be rescheduled. He will let Council know new date. He then stated if there was no further business, he entertains a motion to adjourn. Councilman Fuelling moved the meeting be adjourned. Seconded by Councilman Curtis.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Sitzman
Clerk-Treasurer